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In re Application of
Lovy et al.
Application No. 10/751,340
Filed: 01/03/2004
Attorney Docket No. 005.P001

OFFICE OF PETITIONS
DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.47(a) filed July 10, 2008, which is being treated as a petition under 37 CFR 1.183 seeking waiver of 37 CFR 1.67 and 1.63 where they require that a supplemental declaration be executed by the named inventor.¹

In view of the efforts recounted in the petition to obtain the signature of Daniel Lovy, it is agreed that justice would be served by waiving the requirement for his signature on a supplemental declaration. Accordingly, the petition is **granted**.

The declaration has been accepted on petition. This application does not have any Rule 1.47 status and no such status should appear in the record. This application need not be returned to this Office for any further consideration under Rule 1.47(a).

The Office finance records indicate that petitioners paid a \$200.00 fee for filing the present petition. However, the current fee for filing a petition under 37 CFR 1.183 is \$400.00. The Office will charge the balance due of \$200.00 to the Deposit Account, as authorized

This matter is being referred to Technology Center Art Unit 2619.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
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¹ Once an application has received a fully executed oath or declaration and been placed on the files for examination, the provisions of 37 CFR 1.47 no longer apply. Rather, the remedy for treating an inventor's refusal to also sign a supplemental oath or declaration is waiver of 37 CFR 1.67. See MPEP 603.